IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.120 OF 2007
IN
NOTICE OF MOTION NO.920 OF 2005
IN
L.C.SUIT NO.1043 OF 2005
WITH
CIVIL APPLICATION NO.177 OF 2007

Dr.Namdeo Arjun Raut ...Appellant

Versus

The Municipal Corporation for
Gr.Bombay & Anr. ...Respondents

WITH

APPEAL FROM ORDER NO.121 OF 2007
IN
NOTICE OF MOTION NO.919 OF 2005
IN
L.C.SUIT NO.1042 OF 2005
WITH
CIVIL APPLICATION NO.178 OF 2007

Mr.Robert Fernandes ...Appellant

Versus

The Municipal Corporation for
Gr.Bombay & Anr. ...Respondents

.....

Mr.Suresh K.Mali for Appellants.

None for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 20, 2007.

P.C.

1. Heard Counsel for the Appellants. There is no reason to interfere in these Appeals, as the Trial Court has rightly observed that there is statutory remedy available to the Appellants, which has not been availed. Besides, no notice under Section 527 of Mumbai Municipal Corporation Act has been issued, for which the Suit itself may not be maintainable.

2. For the reasons recorded by the Trial Court with which I am in agreement, no interference is warranted. Dismissed.

A.M.KHANWILKAR, J.